

### **REMARKS/ARGUMENTS**

By this Amendment, claim 1 is amended and claims 9 and 12 are cancelled without prejudice. Subject matter from claims 9 and 12, as previously examined and as originally filed, is incorporated into claim 1. Further support for the amendment is found in paragraphs [0038]-[0040] of the specification. No new matter is introduced. No new issues are raised. Favorable consideration is respectfully requested for currently pending claims.

Claim Rejections – 35 USC § 103. The Office Action rejected claims 6, 9, and 12-15 under 35 U.S.C. § 103(a) as being unpatentable over Cutter (US Patent No. 3,967,336) in view of Frederick (US Patent No. 2,898,613). Claim 11 was rejected under Section 103(a) as being unpatentable over Cutter in view of Frederick as applied to claim 6, and further in view of Chen (US D489,763).

None of the cited patents, Cutter '336, Frederick '613, and Chen '763, discloses a punching apparatus in which the actuating lever/operating handle may be secured to a selected one of the first and second ends of the shaft so the apparatus is usable by left-hand and right hand users. More specifically, none of the cited patents discloses the stopper and the handle member "being exchangeably disposed at said first and said second ends of said transmitting shaft." This feature is illustrated in Figs. 4(a) and 4(b). Because none of the cited patent singly or in combination discloses this feature, Applicant respectfully submits that *prima facie* obviousness has not been properly established.

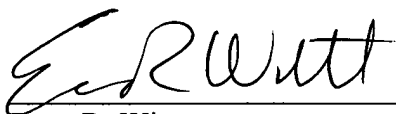
The Office Action states, without any support or citation to the prior art, that the "position of the handle member and the stopper of Cutter are capable of being exchanged since both are removable." This statement is false. The Examiner has not provided and Applicant has been unable to locate any teaching or suggestion that Cutter's actuating lever can be exchanged from one end of the shaft to the other end. Indeed, Cutter's Fig. 1 shows a housing 12 which prohibits the lever 24 from being exchanged from one end to the other end. Moreover, Cutter's shaft 44 (left-most end) lacks a structure to receive the actuating lever 24 like there is on the right-most end of Cutter's shaft 44. Similarly, Frederick's operating handle 22 cannot be exchanged from one end of the shaft 53 to the other end. Frederick's Fig. 4 clearly shows a cover 15 which prohibits the handle 22 from being exchanged from one end of the shaft to the other end.

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Given the total absence of teaching or suggestion in the cited patents, Cutter '336, Frederick '613, and Chen '763, that the stopper and the handle member are "exchangeably disposed at said first and said second ends of said transmitting shaft," Applicant submits that the rejected claims would not have been obvious from the combined teachings of the cited patents. Applicant respectfully requests withdrawal of the rejection under Section 103(a) and allowance of claims 6, 11, 13, 14, and 15.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case. If there are any remaining issues preventing allowance of the pending claims that may be clarified by telephone, the Examiner is requested to call the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "E. R. Witt", written over a horizontal line.

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